

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 3/1/2023

VICTORIA DICKS, on behalf of herself and all others
similarly situated,

Plaintiff,

-against-

1canoe2, LLC,

Defendant.

1:22-cv-7921-MKV

ORDER

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on September 16, 2022. [ECF No. 1].

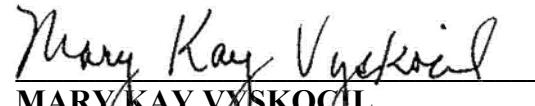
An affidavit of service of summons and complaint was filed on the docket on October 7, 2022.

[ECF No. 5]. According to that summons, Defendant's response to the complaint was due October 28, 2022. [ECF No. 5]. No response was filed, and Plaintiff sought and obtained a certificate of default with respect to Defendant from the Clerk of the Court on January 3, 2023. [ECF No. 11]. Plaintiff has taken no further action and has not prosecuted this case to date.

Accordingly, IT IS HEREBY ORDERED that any motion for entry of a default judgment with respect to Defendant shall be filed by April 3, 2023. Plaintiff is directed to follow the procedures applicable to default judgments under the Court's Individual Rules and Practices for Civil Cases, available at the Court's website. A Failure to move for a default judgment by April 3, 2023, may result in dismissal of this action for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001).

SO ORDERED.

Date: **March 1, 2023**
New York, NY



MARY KAY VYSKOCIL
United States District Judge